

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Walter Louis Franklin, II, Trustee For the
Estate of Terrance Terrell Franklin

Civil No. 14-1467 (DWF/DTS)

Plaintiff,

v.

**ORDER AMENDING
ORDER FOR DISTRIBUTION**

City of Minneapolis,

Defendant.

Pursuant to the Stipulation of the Parties (Doc No. [114]), and for the reasons set forth therein, the Court hereby orders that its Order for Distribution (Doc. No. [108]) be amended as follows:

a. The City Council and its committee(s) will consider authorizing a partially-revised settlement of the claims asserted in this matter by approving the receipt of \$250,000 from Padden Law Firm, PLLC (PLF) Trust Account, and approving payment of \$250,000 to Pacific Life and Annuity Services, Inc., (collectively referred to herein as “Council Action”).

b. Should the Council Action be fully authorized pursuant to the City Charter, within seven (7) days of the publication of the Council Action, Padden Law Firm, PLLC shall deliver to the City Attorney’s Office a check from the Padden Law Firm, PLLC trust account, made payable to “City of Minneapolis Finance Department,” in the amount of \$250,000. Due to the current health emergency relating to COVID-19, counsel for Plaintiff shall arrange with counsel for the City the precise

date and time the check will be delivered, so that a person is present in the City Attorney's Office to receive the check.

c. Should the Council Action be fully authorized pursuant to the City Charter, within twenty-one (21) days of the \$250,000 payment from Padden Law Firm, PLLC trust account clearing, the City shall issue a check in the amount of \$250,000 made payable to Pacific Life and Annuity Services, Inc., and deliver it to Ringler Associates, 10503 165th Street West, Ste. 200, Lakeville, MN 55044.

d. The structured settlement annuity will provide future periodic payments to the Minor Son of Terrance Terrell Franklin as follows:

PAYEE: N.A.M.

\$20,000 guaranteed lump sum payment on 5/20/2026;

\$25,000 guaranteed lump sum payment on 5/20/2029;

\$30,000 guaranteed lump sum payment on 5/20/2032;

\$40,000 guaranteed lump sum payment on 5/20/2035;

\$60,000 guaranteed lump sum payment on 5/20/2038;

\$90,000 guaranteed lump sum payment on 5/20/2040; and

\$144,080.66 guaranteed lump sum payment on 5/20/2043.

e. Any payments to be made after the death of N.A.M. shall be made to the Estate of N.A.M. or to such person or entity as shall be designated in writing by N.A.M. upon reaching the age of majority.

f. The obligation to make the periodic payments described herein will be assigned by the City of Minneapolis under the meaning of IRC Sec. 130, to Pacific

Life & Annuity Services, Inc. (the “Assignee”) and funded by an annuity contract issued by Pacific Life Insurance Company (the “Annuity Issuer”).

g. The remainder of the previous Orders not impacted by this Order remain in effect.

Dated: April 22, 2020

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge